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France, Hungary, Japan, New Zealand, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Having considered with concern the letter from the Minister for Foreign Affairs of the Democratic People's Republic of Korea (DPRK) dated 12 March 1993 addressed to the President of the Council (S/25405) concerning the intention of the Government of the DPRK to withdraw from the Treaty on the Non-Proliferation of Nuclear Weapons (the Treaty) and the report of the Director-General of the International Atomic Energy Agency (IAEA) (S/25556),

Recalling the Security Council presidential statement of 8 April 1993 (S/25562) in which the members of the Council welcome all efforts aimed at resolving this situation and, in particular, encourage the IAEA to continue its consultations with the DPRK for proper settlement of the nuclear verification issue in the DPRK,

Noting in that context the critical importance of the Treaty, and emphasizing the integral role of IAEA safeguards in the implementation of the Treaty and in ensuring the peaceful uses of nuclear energy, and reaffirming the crucial contribution which progress in non-proliferation can make to the maintenance of international peace and security,

Recalling the Joint Declaration by the DPRK and the Republic of Korea (ROK) on the denuclearization of the Korean Peninsula, which includes establishment of a credible and effective bilateral inspection regime and a pledge not to possess nuclear reprocessing and uranium enrichment facilities,

Noting that the DPRK is party to the Treaty and has concluded a full-scope safeguards agreement as required by that Treaty,

Having also considered with regret the IAEA Board of Governors' findings contained in its resolution of 1 April 1993 that the DPRK is in non-compliance with its obligations under the IAEA-DPRK safeguards agreement (INFCIRC/403), and that the IAEA is not able to verify that there has been no diversion of nuclear materials required to be safeguarded under the terms of the IAEA-DPRK safeguards agreement to nuclear weapons or other nuclear explosive devices,

Noting the 1 April 1993 statement by the Russian Federation, the United Kingdom and the United States, the depositories of the Treaty (S/25515), which questions whether the DPRK's stated reasons for withdrawing from the Treaty constitute extraordinary events relating to the subject-matter of the Treaty,

Noting the letter of reply by the DPRK to the Director-General of the IAEA dated 22 April 1993 which, inter alia, encourages and urges the Director-General to hold consultations with the DPRK on the implementation of the safeguards agreement, noting also that the DPRK has expressed its willingness to seek a negotiated solution to this issue,

Welcoming recent signs of improved cooperation between the DPRK and the IAEA and the prospect of contacts between the DPRK and other Member States,

1. Calls upon the DPRK to reconsider the announcement contained in the letter of 12 March 1993 and thus to reaffirm its commitment to the Treaty;

2. Further calls upon the DPRK to honour its non-proliferation obligations under the Treaty and comply with its safeguards agreement with the IAEA as specified by the IAEA Board of Governors' resolution of 25 February 1993;

3. Requests the Director-General of the IAEA to continue to consult with the DPRK with a view to resolving the issues which are the subject of the Board of Governors' findings and to report to the Security Council on his efforts in due time;

4. Urges all Member States to encourage the DPRK to respond positively to this resolution, and encourages them to facilitate a solution;

5. Decides to remain seized of the matter and to consider further Security Council action if necessary.